



Order Filed on August 23, 2021  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

**MELLINGER KARTZMAN LLC**

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Morris Plains, New Jersey 07950

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*Attorneys for Steven P. Kartzman, Chapter 7 Trustee*

**In re:**

**ALICIA JONES,**

**Debtor.**

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY**

Case No.: 18-32198 (VFP)

Chapter 7

Honorable Vincent F. Papalia

**CONSENT ORDER RESOLVING CLAIM FOR  
TURNOVER OF PROPERTY OF THE  
ESTATE TO THE TRUSTEE PURSUANT TO 11 U.S.C. § 542(a)**

The relief set forth on the following pages is hereby **ORDERED**.

**DATED: August 23, 2021**

  
\_\_\_\_\_  
**Honorable Vincent F. Papalia**  
**United States Bankruptcy Judge**

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Debtor: Alicia Jones

Case No.: 18-32198 (VFP)

Caption: Consent Order Resolving Claim for Turnover of Property of the Estate to the Trustee Pursuant to 11 U.S.C. § 542(a)

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THIS MATTER having been brought before the Court by Steven P. Kartzman, the Court-appointed Chapter 7 Trustee (the “Trustee”), by and through his attorneys Mellinger Kartzman LLC, on application for entry of a Consent Order in lieu of motion resolving claim for turnover of property of the estate to the Trustee Pursuant to 11 U.S.C. § 542(a), and all parties with an interest having been properly served, and the Trustee, the debtor, Alicia Jones (the “Debtor”), and the Internal Revenue Service (“IRS”) having agreed to amicably resolve the issues between the estate, the Debtor and the IRS on the terms set forth herein, as appears from the signatures of counsel affixed hereto, it is hereby

ORDERED AS FOLLOWS:

1. Within ten days of the entry of this Order the Debtor shall pay to the Trustee the sum of \$10,000.00 (the “Settlement Amount”), which represents the appraised value of two vehicles owned by the Debtor: a 2008 Mercedes-Benz ML63 AMG 4MATIC Sport Utility 4 Door (the “Mercedes-Benz”) appraised at \$6,500.00 and a 2007 BMW 650i 2 Door Coupe (the “BMW”) appraised at \$3,500.

2. To the extent that the Debtor fails to make the required payment of the Settlement Amount, the Trustee shall file a certification of default with the Court on notice to the Debtor. Should the Debtor fail to cure the default within ten (10) days of the filing of a certification of default, the Court shall:

- a. Enter a non-dischargeable judgment against the Debtor in an amount equal to 1.5 times the Settlement Amount, less any payments made to the Trustee (the “Judgment”); and

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Debtor: Alicia Jones

Case No.: 18-32198 (VFP)

Caption: Consent Order Resolving Claim for Turnover of Property of the Estate to the Trustee Pursuant to 11 U.S.C. § 542(a)

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b. Enter an order revoking the Debtor's discharge pursuant to 11 U.S.C. § 727(d).

3. Once the Trustee receives the Settlement Amount, the Trustee shall file a Notice of Abandonment as to the Mercedes Benz and the BMW.

4. The Debtor shall be entitled to exempt \$8,000.00 pursuant to 11 U.S.C. §§ 522(d)(2) and (d)(5) in order to fully exempt the Debtor's 2011 Land Rover Ranger Rover Sport HSE Luxury 4 Door Suv (the "Land Rover").

5. The IRS voluntarily waives its rights pursuant to 11 U.S.C. § 522(c)(2)(B) as it pertains to the Debtor's use of exemptions pursuant to 11 U.S.C. §§ 522(d)(2) and (d)(5) in order to fully exempt the Land Rover. The IRS does not waive its rights pursuant to 11 U.S.C. § 522(c)(2)(B) as it pertains to the Mercedes-Benz and the BMW.

6. The parties hereto shall execute any and all documents and pleadings reasonably necessary to implement all of the foregoing provisions.

7. The terms of this Consent Order are subject to the Court's approval and the issuance of a Notice of Settlement (the "Notice") and the following:

- (a) If no objection to the Notice is filed, the issuance and docketing of a Certification of No Objection by the Clerk of the Bankruptcy Court; or
- (b) If any objection to the Notice is filed, the overruling of any such objection by this Court.

In the event that an objection to the settlement is filed and sustained, the parties shall be restored to their pre-settlement positions.

8. The parties, and anyone who succeeds to their rights and responsibilities hereunder, including their successors and/or assigns, are bound by this Consent Order. This

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Debtor: Alicia Jones

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Caption: Consent Order Resolving Claim for Turnover of Property of the Estate to the Trustee Pursuant to 11  
U.S.C. § 542(a)

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Consent Order is made for the benefit of the parties and all who succeed to their rights and responsibilities.

9. The Bankruptcy Court shall retain exclusive jurisdiction to adjudicate all matters arising under or in connection with this Consent Order.

*The undersigned hereby consent to  
the form and entry of the within Order:*

MELLINGER KARTZMAN LLC  
*Attorneys for Trustee*

LAW OFFICES OF  
MICHELLE LABAYEN  
*Attorneys for Debtor*

By: /s/ Judah B. Loewenstein  
JUDAH B. LOEWENSTEIN, ESQ.

By: /s/ Michelle Labayen  
MICHELLE LABAYEN, ESQ.

Dated: August 13, 2021

Dated: August 12, 2021

UNITED STATES ATTORNEY'S OFFICE  
*Attorneys for the Internal Revenue Service*

By: /s/ Eamonn O'Hagan  
Eamonn O'Hagan, ESQ.

Dated: August 10, 2021

In re:  
Alicia Jones  
Debtor

Case No. 18-32198-VFP  
Chapter 7

## CERTIFICATE OF NOTICE

District/off: 0312-2  
Date Rcvd: Aug 24, 2021

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 26, 2021:

Recip ID	Recipient Name and Address
db	+ Alicia Jones, 59 Brookdale Avenue, Newark, NJ 07106-1813

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 26, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 24, 2021 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor Wilmington Savings Fund Society FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Judah B Loewenstein	on behalf of Trustee Steven P. Kartzman jloewenstein@msklaw.net sjayson@msklaw.net;pmasiello@msklaw.net;donnaz@msklaw.net
Laura M. Egerman	on behalf of Creditor Wilmington Savings Fund Society FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust bkyecf@rasflaw.com, bkyecf@rasflaw.com;legerman@rasnj.com
Marie-Ann Greenberg	magecf@magtrustee.com
Michelle Labayen	on behalf of Debtor Alicia Jones michelle@labayenlaw.com silvia@labayenlaw.com;priscilla@labayenlaw.com

District/off: 0312-2

User: admin

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Date Rcvd: Aug 24, 2021

Form ID: pdf903

Total Noticed: 1

Rebecca Ann Solarz

on behalf of Creditor Wilmington Savings Fund Society FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust rsolarz@kmlawgroup.com

Steven A. Jayson

on behalf of Trustee Steven P. Kartzman sjayson@msklaw.net  
jloewenstein@msklaw.net;donnaz@msklaw.net;pmasiello@msklaw.net

Steven P. Kartzman

on behalf of Trustee Steven P. Kartzman kartztee@optonline.net  
nj16@ecfbis.com;jloewenstein@msklaw.net;sjayson@msklaw.net;skartzman@msklaw.net;donnaz@msklaw.net;pmasiello@msklaw.net

Steven P. Kartzman

kartztee@optonline.net  
nj16@ecfbis.com;jloewenstein@msklaw.net;sjayson@msklaw.net;skartzman@msklaw.net;donnaz@msklaw.net;pmasiello@msklaw.net

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

William M.E. Powers

on behalf of Creditor U.S. Bank National Association as Trustee for Citigroup Mortgage Loan Trust 2007-WFHE2, Asset-Backed Pass-Through Certificates, Series 2007-WFHE2 ecf@powerskirm.com

William M.E. Powers, III

on behalf of Creditor U.S. Bank National Association as Trustee for Citigroup Mortgage Loan Trust 2007-WFHE2, Asset-Backed Pass-Through Certificates, Series 2007-WFHE2 ecf@powerskirm.com

TOTAL: 12